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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

JACOB K. JAVITS FEDERAL BUILDING

NEW YORK, NEW YORK 10278

JUN 1 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Neil Fischer
Secretary/Treasurer
Central Steel Drum Company
704 Doremus Avenue
Newark, New Jersey 07105

Re: Central Steel Drum Company, Newark, New Jersey
EPA ID No. NJD011482577

Dear Mr. Fischer:

The U.S. Environmental Protection Agency (EPA) is charged with the responsibility for implementing the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. § 6901 et seq. ("RCRA" or "the Act"). By notification, you informed EPA that you conduct activities at the above-referenced facility involving "hazardous waste" as that term is defined in Section 1004(5) of the Act, 42 U.S.C. § 6904(5). This Notice of Violation is issued pursuant to Section 3008(a) of the Act, 42 U.S.C. § 6928.

Pursuant to HSWA, EPA promulgated regulations on November 7, 1986, which prohibited the land disposal of restricted waste. 51 Fed. Reg. 40,572 (November 7, 1986). These regulations are known as land disposal restrictions (LDR) and are published in 40 C.F.R. Part 268, and amend various sections of 40 C.F.R. Parts 260-265 and 270. They became effective on November 8, 1986.

Section 3006(b) of the Act, 42 U.S.C. § 6926 provides that the Administrator of EPA may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the Federal program. The State of New Jersey received final authorization to administer its hazardous waste program in lieu of the Federal program on May 29, 1986.

On or about April 18, 1993, an inspection was performed at Central Steel Drum located in Newark, New Jersey, by duly authorized representatives of EPA pursuant to Section 3007 of the Act. The inspection revealed that the facility is in violation of certain provisions of N.J.A.C. 7:26.

The violations and deficiencies noted during the inspection are addressed herein. The following paragraphs indicate the deficiencies and the regulatory provisions that have been violated, which are the basis for this Notice of Violation:

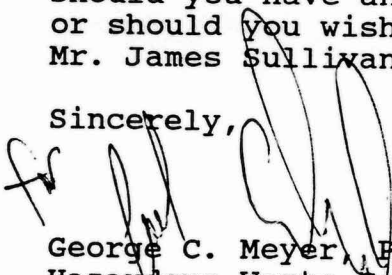
- 1) a) N.J.A.C. 7:26-9.4(g)6 requires a generator to maintain the following documents and records at the facility:
 - i. The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job;
 - ii. A written job description for each job description listed under subparagraph 9.4(g)6i. This shall be current at all times. This description may be consistent in its degree of specificity with descriptions of other similar positions in the same company location or bargaining unit, but shall include the requisite skill, education, or other qualifications, and duties of employees assigned to each position.
 - iii. A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subparagraph 9.4(g)6i.
 - b) At or about the time of the above referenced inspection, the inspector determined that Central Steel Drum had failed to maintain such documents and records at the facility.
 - c) Central Steel Drum's failure to maintain such documents and records at the facility, as specified in Paragraph "b" above, constitutes a violation of N.J.A.C. 7:26-9.4(g)6.
- 2) a) N.J.A.C. 7:26-9.4(g)8 requires a generator to conduct semi-annual drills involving all employees and appropriate local authorities to test emergency response capabilities at the facility in accordance with the contingency plan and emergency procedures developed pursuant to N.J.A.C. 7:26-9.7.
 - b) At or about the time of the above referenced inspection, the inspector determined that Central Steel Drum could not document that these drills were conducted on a semi-annual basis.
 - c) Central Steel Drum's failure to conduct these drills on a semi-annual basis, as specified in Paragraph "b" above, constitutes a violation of N.J.A.C. 7:26-9.4(g)8.

- 3) a) N.J.A.C. 7:26-9.7(i) requires a generator to submit a copy of its contingency plan to all local police departments, fire departments, hospitals, and State and local response teams that may be called upon to provide emergency services.
- b) At or about the time of the above referenced inspection, the inspector determined that Central Steel Drum could not document that it had submitted a copy of its contingency plan to all local police departments, fire departments, hospitals, and State and local response teams that may be called upon to provide emergency services.
- c) Central Steel Drum's failure to submit a copy of its contingency plan to all local police departments, fire departments, hospitals, and State and local response teams that may be called upon to provide emergency services, as specified in Paragraph "b" above, constitutes a violation of N.J.A.C. 7:26-9.7(i).

Please confirm in writing, within 30 days of your receipt of this Notice of Violation, that the above-referenced violations have been corrected and include supporting documentation as appropriate. This written confirmation should be addressed to me at the address indicated above. Be advised, should the two violations cited above be discovered at the facility in the future, it is possible that a formal enforcement action would be initiated under the provisions of Section 3008 of RCRA, 42 U.S.C. § 6928. Furthermore, this Notice of Violation in no way precludes your facility from future enforcement actions for any other violations discovered as a result of this or any other inspections.

Should you have any questions regarding this Notice of Violation or should you wish to discuss this matter further, please contact Mr. James Sullivan, of my staff, at (212) 264-6150.

Sincerely,


George C. Meyer, P. E., Chief
Hazardous Waste Compliance Branch

cc: James Hamilton, Assistant Director
Office of Enforcement Policy
New Jersey Department of
Environmental Protection and Energy